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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,958	12/19/2001	Hong Thi Nguyen	36968.262343 (BS01261)	5325
23552 7590 08/09/2007 MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER ADDY, THJUAN KNOWLIN	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/028,958

Applicant(s)

NGUYEN ET AL.

Examiner

Thjuan K. Addy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4,7-18,20 and 23-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,7-18,20 and 23-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on May 18, 2007 has been entered. Claims 1, 16, and 27 have been amended. Claims 3, 5, 6, 19, 21, and 22 have been cancelled. No claims have been added. Claims 1, 2, 4, 7-18, 20, and 23-31 are now pending in this application, with claims 1, 16, and 27 being independent.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 7-18, 20, and 23-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larson et al (US 5,907,324), in view of Hackbarth et al (US Patent Application Publication, Pub. No.: US 2002/0143877 A1), and further in view of Fitser et al (US 5,631,904).

3. In regards to claims 1, 16, 17, and 27, Larson discloses a method of automatically establishing a conference (See col. 2 lines 52-56 and col. 2-3 lines 63-4) comprising the steps of: receiving conference logistics wherein the conference logistics comprise a participant communication address (See col. 7 lines 37-49); receiving participant profile data, wherein the participant profile data comprises participant

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communication addresses (e.g., telephone number or electronic mail address) and current participant communication address associated with the participant communication addresses (See col. 11-12 lines 54-3 and col. 12 lines 12-17); and allocating a conference bridge port to set up the conference in accordance with the conference logistics (See col. 1-2 lines 58-15). Larson, however, does not disclose extracting a current participant communication address from the conference logistics; determining if the participant profile data includes the current participant communication address extracted from the conference logistics; if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data associated with the participant communication address, and automatically initiating a connection to the conference based on the current participant communication address. Hackbarth, however, does disclose extracting a current participant communication address (e.g., location and/or device; for example the device may be a phone or computer located at work, home, car, etc.) from the conference logistics (See page 5, paragraph [0123] and page 10, paragraph [0260] – [0261]); determining (for example, through a request for information pertaining to the user/participant) if the participant profile data (See Fig. 2 and User Agent 203) includes the current participant communication address extracted from the conference logistics (See page 3, paragraph [0043] – [0045]); if the participant profile data does not include the current participant communication address extracted from the conference logistics,

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then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data associated with the participant communication address, and automatically initiating a connection to the conference based on the current participant communication address (See page 3, paragraph [0052]). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ these features within the system, as a way of maintaining current addresses (e.g., numbers and locations) for the conference participants. Larson, also, does not disclose presenting an option to accept or refuse a connection to the conference. Fitser, however, does disclose presenting an option to accept or refuse a connection to the conference (See col. 6-7 lines 66-12). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ the method with the feature of presenting an option to accept or refuse a connection to the conference, as a way of providing to the called party, the choice of whether or not to join the conference. At the time of the invite to the conference, the called party may be busy or unable to join the conference for a number of reasons, and by being able to accept or refuse the connection, the called party is allowed to make that decision of whether or not he or she is able to participate in the conference.

4. In regards to claims 2, 10, 18, and 26, Larson discloses the method, wherein receiving the conference logistics further comprises receiving a start date and a connect time (See col. 7 lines 4-16).

5. In regards to claims 4 and 20, Larson discloses the method, wherein allocating a bridge port is performed in accordance a number of conference participants in accordance with the conference logistics (See col. 2 lines 4-19, col. 7 lines 4-16, and col. 12 lines 12-17).

6. In regards to claims 7 and 23, Larson discloses the method, wherein the participant profile data comprises at least two of the current participant communication address, a home address, an office address, and a wireless address (See col. 7 lines 37-42).

7. In regards to claims 8 and 24, Larson discloses the method, wherein the communications switch port comprises a telephone switch port (See col. 1 lines 14-18 and col. 1 lines 28-33).

8. In regards to claims 9 and 25, Larson discloses the method, wherein the participant communication address and the current participant communication address each comprises a telephone number (See col. 2 lines 4-11 and col. 7 lines 37-49).

9. In regards to claim 11, Larson discloses the method, wherein the conference participant communication address comprises an Internet Protocol (IP) address (See col. 7 lines 37-42).

10. In regards to claims 12, 15, 28, and 31, Larson discloses all of claims 12, 15, 28, and 31 limitations except, the method, wherein receiving conference logistics comprises receiving subscriber input to a DTMF menu. Fitser, however does disclose the method, wherein receiving conference logistics comprises receiving subscriber input to a DTMF menu (See col. 3-4 lines 49-8, col. 4 lines 52-59, and col. 6-7 lines 66-12).

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11. In regards to claims 13 and 29, Larson discloses the method, wherein receiving conference logistics, comprises receiving a formatted file, comprising labeled conference provisioning information (See col. 2 lines 41-62 and col. 6 lines 37-50).

12. In regards to claims 14 and 30, Larson discloses the method, wherein receiving conference logistics comprises receiving subscriber input to a form displayed on a client device (See col. Fig. 1, Fig. 3, col. 5 lines 4-29, and col. 5-6 lines 58-19).

### ***Response to Arguments***

13. Applicant's arguments filed 05/18/07 have been fully considered but they are not persuasive.

14. Applicants argue that Larson does not teach or suggest "extracting a current participant communication address from the conference logistics", "if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data", or "automatically initiating a connection to the conference based on the current participant communication address." Applicants state that Fitser also fails to teach or suggest using multiple communication addresses for a participant and determining a current communication address from the addresses for the participant, and that Fitser does not suggest "if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted

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participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data.” Applicants further argue that Hackbarth does not teach or suggest using multiple communication addresses for a participant and determining a current communication address from the address for the participant, or if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data.

15. In response to the arguments concerning Larson not teaching or suggesting “extracting a current participant communication address from the conference logistics”, “if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data”, or “automatically initiating a connection to the conference based on the current participant communication address,” Fitser failing to teach or suggest using multiple communication addresses for a participant and determining a current communication address from the addresses for the participant, and Fitser not suggesting “if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the



current participant communication address from the participant profile data," the Examiner, respectfully, will not respond. These limitations, which are being argued by the Applicants, were rejected in regards to Hackbarth, and not in regards to Larson or Fitser.

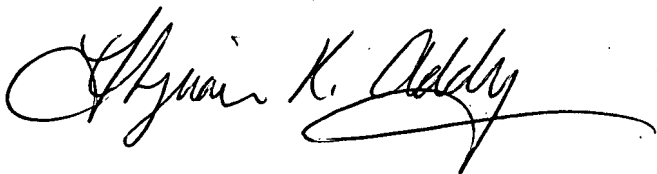
16. In response to the argument concerning Hackbarth not teaching or suggesting using multiple communication addresses for a participant and determining a current communication address from the address for the participant, or if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data, the Examiner respectfully disagrees. Hackbarth does teach and suggest using multiple communication addresses (e.g., location and/or device; for example the device may be a phone or computer located at work, home, car, etc.) for a participant and determining (for example, through a request for information pertaining to the user/participant) a current communication address from the address for the participant (See page 3, paragraph [0043] – [0045]), or if the participant profile data does not include the current participant communication address extracted from the conference logistics, then automatically updating the extracted participant communication address extracted from the conference logistics with the current participant communication address from the participant profile data (See Fig. 2 and User Agent 203) (See page 3, paragraph [0052]).

**Conclusion**

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thjuan K. Addy', with a stylized flourish at the end.

Thjuan K. Addy  
Patent Examiner  
AU 2614